**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928**

**WP(C).No. 1400 of 2007(N)**
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**PETITIONER:**
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**M. SAIDALAVI,**
**MOOTHEDATH HOUSE, ELAYOOR POST,MALAPPURAM DISTRICT.**

**BY ADV. SRI.VINOD VALLIKAPPAN.**

**RESPONDENTS:**
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1. **THE REGIONAL TRANSPORT AUTHORITY,**
   **MALAPPURAM.**

***ADDL.R2. BRANCH MANAGER,**
**SHRIRAM INVESTMENTS LTD.,**
**COURT ROAD, MANJERI,**
**MALAPPURAM.**

***ADDL. R2. IMPLEADED AS PER ORDER DTD. 24/01/2007 IN I.A. 1086/2007.**

**BY ADV. SRI.PHILIP T.VARGHESE,**
**SRI.THOMAS T.VARGHESE,**
**GOVT. PLEADER SMT. N. SUDHADEVI.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C). NO.1400/2007:**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P.1: COPY OF THE PROCEEDINGS OF THE RESPONDENT DTD. 07/11/2001 RENEWING THE REGULAR PERMIT TO THE PETITIONERS VEHICLE.**

**EXT.P.2: COPY OF THE NOTICE ISSUED TO THE FINANCER SRIRAM INVESTMENTS LTD. DTD. 01/07/2004.**

**EXT.P.3: COPY OF THE TEMPORARY PERMIT GRANTED TO THE PETITIONER BY THE RESPONDENT DTD. 08/11/2006.**

**//TRUE COPY//**

**prv.**

K.BALAKRISHNAN NAIR, J.

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W.P.(C) NO. 1400 OF 2007-N

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JUDGMENT

The petitioner is the owner of the stage carriage KL-10/J 3033. The said vehicle was purchased, availing a loan from M/s.Shriram Investments Ltd. The petitioner moved for renewal of the permit. But, the said application is not being considered for the reason that he has not produced NOC from the 2nd respondent. Hence this Writ petition, seeking appropriate reliefs.

2. The learned Government Pleader, upon instructions, submitted that the petitioner has not produced the necessary declaration as contemplated under Section 51(8) of the Motor Vehicles Act. The learned counsel appearing for the 2nd respondent financier opposes the prayer of the petitioner.

3. The application for renewal of permit is a statutory application. Once it is received, the 1st respondent R.T.A is bound to consider and pass orders on it in accordance with law. Therefore, the 1st respondent is directed to consider and pass orders on the application of the petitioner for renewal his permit, if the same is received and pending, in accordance with law as

expeditiously as possible, at any rate, within two months from the date of production of a copy of this judgment, after affording an opportunity of being heard to the petitioner and the 2nd respondent. If the petitioner has not received NOC from the 2nd respondent or the said respondent has not responded to his letter, he may produce the necessary declaration.

The Writ Petition is disposed of as above.

12th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/